

*July 27, 2010*

**Mr. SCOTT of Virginia:** Mr. Speaker, the goal of H.R. 5143 is to examine the criminal justice system in its entirety in order to make recommendations for appropriate reform to the President and Congress as well as State, local and tribal governments. The United States depends on the criminal justice system to maintain our safety and security and we expect it to be reliable, fair and effective. It must provide a sense of justice for all Americans, and must treat victims and their families with compassion.

The last comprehensive review of our criminal justice system was President Johnson's Commission on Law Enforcement and Administration of Justice conducted more than 45 years ago. Despite the progress in achieving fair and effective outcomes in the criminal justice system since President Johnson's commission was convened, there is still work that needs to be done to fulfill these objectives.

Currently, the United States has the highest reported incarceration rate in the world. Whereas most countries lock up between 50 and 200 people for every 100,000 in their population, and only a handful of countries lock up more than 300 per 100,000, the United States leads the world in over 700 per 100,000 locked up today. This number is particularly egregious when you review the recent study conducted by Pew Research Center that concluded that for any rate that exceeds 300 per 100,000, the cost of additional incarceration produced diminishing returns; and any rate over 500 per 100,000 is actually counterproductive. The United States' rate again is over 700 per 100,000. Minorities make up an alarmingly disproportionate share of the incarcerated population of adults and juveniles. In fact, the incarceration rate for African Americans approaches 4,000 per 100,000 in several States. And when you consider the Pew study that anything over 500 was counterproductive, we can see that a lot of money is being wasted in counterproductive incarceration. In fact, in those 10 States with the incarceration rate of African Americans approaching 4,000, you could spend thousands of dollars for every child in those communities with the money that's being wasted now on counterproductive incarceration. That money could be put in evidence-based programs that have been shown and proven not only to reduce crime but save more money than the programs cost. We know that those comprehensive plans work. They work everywhere you put them into effect; and we need to invest in those rather than counterproductive incarceration.

H.R. 5143 calls for a distinguished, nonpartisan group of experts to undertake a comprehensive review of the criminal justice system to promote broad reform. While this bill calls for an

examination of the criminal justice system, it is intended to advance a national conversation and facilitate policy changes to complement, not replace, ongoing reform efforts.

The companion bill to this bill was introduced in the Senate by my Virginia colleague, Senator *Jim Webb*,

who has been a tireless and strong advocate for this study commission. This bill in the House has been introduced by a former prosecutor, the gentleman from Massachusetts (Mr.

*Delahunt*

), who has also been a strong advocate for intelligent criminal justice policies. For these reasons, I urge my colleagues to support this important legislation.